IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD.

HON'BLE SRI JUSTICE V.V. S. RAO

Writ Petition No. 19764 of 2005

Dated: 8th September 2005

Between:

M.V. Suryanarayana & 7 others

… Petitioners

And

The Collector (Panchayat Wing),

Guntur District & another

… Respondents

Oral Order:

The petitioners are residents of Bhattiprolu Gram Panchayat. They are aggrieved by the inaction of the first respondent in not passing appropriate orders against the Sarpanch of the village, second respondent herein, in spite of issue of show cause notice under Section 249 (6) of the A.P. Panchayat Raj Act, 1994 (for short 'the Act').

The District Collector issued a show cause notice to the second

respondent on allegations of misappropriation of Gram Panchayat funds. Aggrieved by the same, the second respondent approached the Government of Andhra Pradesh. The Government by G.O.Rt.No.1292, Panchayat Raj and Rural Development (Pts.II-A) Department, dated 12-7-2005 declined to interfere in the matter stating that there is no cause of action for the interference and further directed the District Collector to take further action in accordance with the provisions of the Act. Though the said orders were issued almost two months ago, the District Collector did not pass any orders pursuant to the show cause notice issued by the second respondent on 25-4-2005. Hence the present writ petition.

Heard the learned counsel for the petitioners and the learned Assistant Government Pleader for Panchayat Raj.

It is unfortunate that the District Collector did not pass any orders
in spite of categorical direction by the government to pass appropriate orders against the second respondent, pursuant to the show cause notice dated 25-4-2005. Therefore, the first respondent is directed to pass appropriate orders in the matter of initiation of action under Section 249 (6) of the Act in Rc.no.1529/2005 G1 within a period of one week from the date of receipt of this order after duly considering the explanation, if any, submitted by the second respondent.

The writ petition, with the above directions, is accordingly disposed of at the admission stage.

_____

(V.V.S. Rao, J)

8th September 2005

svs